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**VIRGINIA COAL MINE SAFETY BOARD**

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**Department of Mines, Minerals, and Energy  
Tuesday – May 13, 2014 – 9:30 A.M.**



## MINUTES

### VIRGINIA COAL MINE SAFETY BOARD

**MEMBERS PRESENT:**

Patti Church  
Richard R. Waddell  
Harless Mullins  
Billy Jo Powers  
Mike Kennedy  
Joseph Tate

**MEMBERS ABSENT:**

Carroll Dale

**OTHERS PRESENT:**

M. Randy Moore, Chief, Division of Mines  
Mike Willis, DM Safety Engineer  
Patty Varner, DM, Recorder

#### **Meeting Called To Order**

Co Chair Patti Church called the meeting to order. A roll call of members determined a quorum with six members present. Ms. Church and Randy Moore welcomed newly appointed members, Mike Kennedy and Joseph Tate, and asked them to tell the Board about themselves. Mr. Kennedy's career has been in coal mining with work at a mine for over 20 years, and currently employed with United Mine Workers International as a field representative, and also serves as the political director for the state of Virginia for mine workers. Mr. Tate's career includes several years with Pittston Coal Corporation. He served one four-year term in the Dickenson County Board of Supervisors and was elected as the Circuit Court Clerk for two eight-year terms.

Currently, there remain two vacancies on the Board. Nominations have been made to the Governor's Office to fill these, and communications with the contact in Richmond indicate that the appointments and announcement will be made soon.

Co Chair Church called for review of minutes from previous meeting on May 9, 2013; a motion to accept the minutes was made, seconded, and unanimous vote taken.

#### **Overview of Virginia Coal Mine Safety Performance and Current Issues**

Mike Willis, Mine Safety Engineer, presented the overview of the Virginia coal mine safety performance with emphasis over a ten-year history. Mr. Willis incorporated additional information into this year's review as suggested by the Board from the last meeting. Coal tonnage production figures continue to decline with this trend expected to continue. Tonnage reporting by week through May 3, 2014 from the Energy Information Agency shows a continued slow reduction in coal production. The coal companies reported 2013 employee numbers did not decline from 2012. Recent coal miner layoffs included workers at Consol Buchanan mine and the Justice Corporation in addition to those from Alpha Natural Resources in the recent past.

Currently, approximately 37 underground mines and 25 surface mines are producing coal in Virginia. The top 10 producing mines were listed, six of which are under the Alpha Natural Resources umbrella. Mr. Moore reported that several miners from Eastern Kentucky returned to work at the North Fork No. 6 mine, a cross-state mining operation where the coal comes into Virginia encountering cheaper rail rates.

Fatal accident numbers continued to decline with zero in 2013, and one occurrence on January, 2012, at an underground mine. On February 21, 2014, a fatal accident occurred at the Dominion Coal Corp. Mine No. 30 when a continuous miner operator was pinned between the boom

of the machine and the coal rib when tramming it by remote control. The investigation continues via a joint effort with the Mine Safety and Health Administration (MSHA). The continuous miner's systems were tested at the Pittsburgh, PA Joy Manufacturing Center, and tested at Dominion No. 30 with results showing the machine was functioning properly. The accident is contributed to the operator placing himself in a red zone area; the last red zone fatal accident was in 2003. The action plan for the operator to resume mining included a requirement that qualified persons be trained as spotters / helpers for the continuous miner operators when the machines are not equipped with proximity technology.

Serious personal injury is defined by the Coal Mine Safety Laws and best policy procedures of action to be taken during the 24 hour period of determining the serious personal injury. The eight serious personal injuries occurring in 2013 were reviewed along with two occurrences to date in 2014. Year 2012 had the lowest level (six) over the ten year period of serious personal injuries.

The number of complaints received in 2013 adds to more than 30 due to combination complaints. Heeding the Board's request from previous meeting, the complaint reporting was broken down into category types and whether the investigation proved the complaint to be valid or unfounded.

Substance abuse cases to date total 753 cases as compared to 704 cases a year ago. Reinstated miners to date are 217 as compared to 206 last year. Mr. Moore reported that these 200+ miners who attended substance abuse programs through our treatment centers is a success story.

Statistics for violations and closure order enforcement activities and other investigations were reviewed. Heeding the Board's request from previous meeting, Mr. Willis presented detail on the individual violations as to area or type of violation. Mr. Moore stated that as part of abating the violation the individual receives training from DM personnel for the area of deficiency.

Statistics on the number of roof falls (21) compared to 36 in 2012 and skin control (rib and brow) failures contribution to serious personal injuries or fatal accidents were reviewed. These numbers continue to decline which is contributed primarily to use of cable roof bolts. Mining is taking place in the worst of roof conditions with the fewest falls. The number of maps and plans processed for 2013 was 901, which has declined. Information on the number of gas wells and the plans required and processed was presented. There are over 8,000 active gas wells. Procedures for gas well drilling near coal mines and new technology for avoiding wells were reviewed.

DM's staffing level is currently at 40.5 employees with 5.5 vacancies. The Small Mine Safety Service Program grant has been restored this year after being cut last year. This program is good for Virginia in propagating mining safety by proactive training for the miners.

The HALT Alert developed and distributed by DM for awareness after the recent fatality illustrates that six of the 34 nationwide fatal accidents involving remote control miners since 1990 were in Virginia. In conjunction, a Red Zone Poster which was created in 2004 by Virginia's Problem Solving Group and published by the Lonesome Pine Council of the Holmes Safety Association was distributed nationwide with great acceptance.

The Board discussed proximity detection technology to provide warning zone and shutdown zone around equipment. Two systems are in common use and are MSHA approved. The cost is approximately \$80,000 to \$100,000 per machine. Jewell Smokeless Corporation has installed the detection system and reported no down time for the machine since the installation. DM conducted a continuous miner inventory by poll which disclosed 81 continuous miners, 78 with remote controls, 23 with proximity detection, eight with decks and five with operator helpers. DM proposes to take immediate action via the Chief issuing an operators memorandum requiring all coal mines to submit either an action plan or supplement to the roof control plan that includes proximity detection on continuous miners or operation from a deck when moving from place to place or use of a spotter

during moves with plans to be due by October 1, 2014. The Board assented to the proposal. A resultant draft Operator's Memorandum can be emailed to the Board members for comment. Board members suggested that a Board meeting be held at which representatives from the primary coal corporations could educate the Board through their testimony regarding proximity. The Board discussed the need to promulgate regulations requiring proximity detection for continuous mining machines.

### **Proposed Coal Mine Safety Law Update**

The Board discussed proposed updates to the Coal Mine Safety Law: Mine Rescue Sec. 45.1-161.67 through 45.1-161.76 requiring mines to have two fully equipped mine rescue teams as per CFR Part 49; Tracking Section 45.1-161.174 to include language that tracking systems must be maintained in useable and operative condition; Fire-fighting Sec. 45.1-161.200 requiring monitoring systems to be maintained in useable and operative condition; Equipment Sec. 45.1-161.193 electric equipment with a potentially dangerous condition must be removed from service until corrected; and Surface 45.1-161.258 incorporate same language in 45.1-161.249 of underground chapter for provision that surface mine foreman must see that all requirements of the act that pertain to his duties and health and safety of the miners is complied with. Mr. Moore recommended that the Board continue to study the proposed changes prior to the next meeting and to email him or Mike Willis with any questions.

### **Mine Safety Awards 2013**

Nominations for the Mine Safety Awards for 2013 were reviewed and approved by the Board. The mine operation having the highest number of employee hours with zero lost time accidents in each category will receive the mine safety award. Any other mines which meet the minimum requirements in their category and have zero lost time accidents will receive certificate awards.

Individual nominations included three miners for 40 years of working with no lost time for injury, seven miners for 30 years of working with no lost time for injury, nine with 20 years, and five with 10 years. Company nominations included two large underground operations, nine medium underground operations, three small underground operations, five large surface operations, four medium surface operations, and seven small surface operations. MSHA's Denver database confirms the reportable injury rates. The Board voted unanimously to approve the safety. Mr. Moore invited the Board members to accompany him to the mines for the presentation of the awards. Information on the award presentations will be posted to the DMME web site.

### **Open Agenda**

Mr. Moore invited the Board members to the Governor's Cup Mine Rescue Contest on May 21 and 22 at the University of Virginia at Wise football field where at least 16 mine rescue teams representing all coal companies will participate.

DMME recently was awarded \$50,000 in funding through the Brookwood-Sago grant from MSHA to produce a training video to help ensure miners working underground and at the surface of a deep mine are prepared in the event of an underground emergency. Alpha Natural Resources has agreed to host the production of the video at their new training center in Julian, WV. This video production is in follow up to DMME video, Lead the Way, which won the first place and grand prize in MSHA's 17<sup>th</sup> annual training materials competition.

❖ **Next Meeting: To be announced at a later date.**

**Adjournment**

Upon a motion made and seconded, the meeting was adjourned.

Respectfully submitted,

*Patty Varner*  
Patty Varner  
Secretary